

that a U.S. phone was used to contact an individual associated with this terrorist organization.

I am appreciative that the NSA was able to apprehend this individual, but it does not provide overwhelming evidence that this program is necessary. As Senator RON WYDEN from Oregon noted, the NSA could have gotten a court order to get the phone records in question.

In essence, Congress has authorized a program that invades the privacy of millions of Americans with little to show for it. The results simply do not justify this massive invasion of our privacy, and that is why I want to end bulk collection practices authorized under section 215 of the PATRIOT Act.

I joined Senator LEAHY to introduce the bipartisan, bicameral USA Freedom Act. This legislation, among other things, will rein in the dragnet collection of data by the National Security Agency. It will stop the bulk collection of Americans' communication records by ending the authorization provided by section 215 of the PATRIOT Act.

Some in this Chamber will argue this removes a massive tool for the NSA to assist the FBI. I disagree with that. All this legislation does is shut down the collection of millions of Americans' metadata by the NSA. If the FBI needs a telephone number, they can go to a FISA judge and get a warrant. The phone company can still provide that data. Chances are a major phone provider will have that data as they keep all detailed records for at least 1 year.

When talking broadly about how certain technological developments should be incorporated in our justice system, Associate Justice of the Supreme Court William Douglas once said:

The privacy and dignity of our citizens are being whittled away by sometimes imperceptible steps. Taken individually, each step may be of little consequence. But when viewed as a whole, there begins to emerge a society quite unlike any we have seen—a society in which government may intrude into the secret regions of a person's life.

Here in the Congress it is our responsibility to take great care to acknowledge each possible step that could whittle away our privacy. We must examine its necessity carefully and reasonably. In this case, I do not believe such practices are warranted.

We can continue to protect Americans from threats of terrorism without infringing on individual privacy that the Constitution protects under the Fourth Amendment. We should shut down bulk collection practices.

With that, I thank the Chair, yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MARKEY). The minority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. MCCONNELL. Mr. President, I recently received a disturbing note from a constituent in Burlington, KY. Unfortunately, I suspect a lot of my colleagues have been receiving notes just like it.

This gentleman said that after receiving several letters from his insurer, it became clear to him that the President was being misleading when he said if you like the plan you have—if you like the plan you have—you can keep it. That is because he found out his policy, which came into effect just 2 months after the law's arbitrary cutoff date for grandfather plans, will be discontinued next year. He is not happy about this at all, especially given the fact that a plan on the ObamaCare exchanges will dramatically drive up his insurance costs, from \$400 a month to more than \$700 a month, with zero subsidies available.

Here is what he had to say:

My wife and I are 54. We don't need maternity care and we don't need ObamaCare.

He is right to be upset. This is simply not in keeping with the spirit of the President's oft repeated promise.

Perhaps the administration would like to tell him he should have just done a better job of keeping up with its regulatory dictates. But what about the millions who purchased their plans relying on the President's promise that they could keep them? What about the husbands and wives across Kentucky who suffered when two of our largest employers had to drop spousal coverage? What about the folks who lost coverage at work? What about all the smaller paychecks and lost jobs? What about the part-timeization of our economy?

This law is a mess. It is a mess. As Secretary Sebelius said herself yesterday: "The system is not functioning."

Maybe she was referring to no more than the narrow problems with healthcare.gov. But as the President keeps reminding us over and over, ObamaCare is about more than just a Web site. He is right about that. That is why, if the system is not functioning, it is just another sign that ObamaCare itself is simply not working. The President and his Washington Democratic allies understand this. That is why the White House is so eager to enroll everybody—other than themselves—into the exchanges. It is why they handed out a yearlong delay to businesses, and that is why the Washington Democrats' Big Labor allies are looking for their own special carve-outs.

What about everybody else? What about the middle class? Where is their carve-out? So far, Washington Democrats have resisted every attempt to exempt the struggling constituents whom we all represent.

The folks who rammed this partisan bill through know it is not ready for

prime time, and they seem to want no part of it themselves. But for you out there, the middle class, it seems to be tough luck—tough luck.

We have even seen some of the same folks try to stamp out innovations that would help folks get out from under some of ObamaCare's more crushing burdens. That is why they have launched a crusade against small businesses that dare to experiment with self-insurance and other pioneering ideas. Maybe the administration does not like self-insurance because it represents a free market alternative to ObamaCare. But the fact is nearly 100 million Americans are already availing themselves of it. I am sure most of them like the greater flexibility and affordability it provides.

So it is time these folks spent their energy working with us to look after the middle class and to bring about the kind of reforms that will actually lower costs and that our constituents want, because they should not have to wake up to news such as this: "Florida Blue is dropping 300,000 customers."

"Hundreds of thousands of New Jerseyans opened the mail last week to find their health insurance plan would no longer exist in 2014"—out of existence.

"Half of the roughly 600,000 people in [my State of] Kentucky's private insurance market will have their current insurance plans discontinued."

Mr. President, 300,000 Kentuckians will have their current insurance plans discontinued.

This is not fair. It is not what Americans were promised, and Republicans intend to keep fighting for middle-class families suffering under this law. I hope more of our Democratic colleagues will join us in this battle in the future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

TRIBUTE TO BRIGADIER GENERAL JONATHAN FARNHAM

Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to retired BG Jonathan Farnham, who is retiring after having honorably served his community, State and country for 34 years in the Vermont National Guard.

Jon was commissioned in 1981 through the Reserve Officer Training Corps at the University of Vermont where he earned a Bachelor of Science in economics. Prior to receiving his commission, he served as an enlisted member of the 1st Battalion, 86th Field Artillery of the Vermont Army National Guard.